

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75033 of 2023

Arising Out of PS. Case No.-375 Year-2023 Thana- SAKRA District- Muzaffarpur

RAVI KUMAR Son of Upendra Patel R/o vill - Dharampur Susta, P.S. -
Sakra, Distt. - Muzaffarpur Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mrs.Nitu Kumari, Advocate
For the Opposite Party/s : Mr.Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sakra P.S. case No. 375
of 2023 instituted for the offences under Section 21(b) of
N.D.P.S. Act.

3. Prosecution allegation, in short, is that 10 gram
heroine like substance was recovered from the petitioner.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 07.08.2023 and has no criminal
antecedent. Charge-sheet has been submitted in this case. The
petitioner has falsely been implicated in the present case.
Learned counsel for the petitioner submits that 10 grams heroine
like substance is alleged to be recovered from the possession of
the petitioner which is little over the small quantity. There is no
F.S.L. report with regard to seized material on record to
ascertain that the seized material is contraband. There is no



compliance of Section 50 of N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the recovery is little over small quantity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sakra P.S. case No. 375 of 2023 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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